

**PRIORITY SEND**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. EDCV 12-01935 VAP (OPx)

Date: January 16, 2013

Title: MIKA ALARCON NEWSOM, et al. -v- BANK OF AMERICA, et al.

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard  
Courtroom Deputy

None Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFFS:

ATTORNEYS PRESENT FOR  
DEFENDANTS:

None

None

PROCEEDINGS: MINUTE ORDER: (1) GRANTING MOTION TO DISMISS  
(DOC. NO. 7) WITHOUT PREJUDICE; (2) VACATING  
FEBRUARY 4, 2013 HEARING (IN CHAMBERS)

The Court has received and considered all papers filed in support of the Motion to Dismiss filed by Defendant(s) Bank of America, N.A., erroneously sued as Bank of America; and BAC Home Loan Services, LP, erroneously sued as BAC Home Loan Services. Defendants' Motion is appropriate for resolution without a hearing. See Fed. R. Civ. P. 78; L.R. 7-15.

Defendants filed their Motion on December 19, 2012, to be heard on February 4, 2013. Under Local Rule 7-9, a party must file opposition papers no later than 21 days before the date designated for the hearing of the motion. Plaintiffs Mika Alarcon Newsom and Bradley Newsom are represented by counsel. Plaintiffs filed no timely opposition. Under Local Rule 7-12, the Court finds Plaintiffs have consented to granting the Motion. Plaintiffs' claims are dismissed without prejudice.

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Initials of Deputy Clerk \_\_md\_\_

**IT IS SO ORDERED.**